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EXAMINER

FISHER, MICHAEL J

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/067,442
Filing Date: February 04, 2002
Appellant(s): LYNTON, TODD M.

Wendy A. Choi (Reg. # 36,697)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 8/18/08 appealing from the Office action mailed 1/10/08.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,832,526

Howard

11-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

DETAILED ACTION

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-8,10,12-19,21,23-28,30-38,42-49,51,53-58 and 60-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over US PAT 6,832,526 to Howard et al. (Howard).

As to claims 1,14,25,31, Howard discloses a computer method for registering a device (title), the device transmitting a registration request message (col 4, lines 22-23), to a registration server (24) in response to input provided by a user of the device (attaching the device to the system and turning it on), registering the device (abstract, lines 1-4). Howard does not, however, teach registering the device with the manufacturer. Howard does, however, teach verifying the warranty (col 7, lines 36-40). As its status is checked, it would have been obvious to one of ordinary skill in the art to provide a mechanism for registering the warranty in case it has not been registered yet.

As to claim 61, Howard does not specify that the registering be done at the registration server. It would have been obvious to use a registration server so as to have one server doing the registering to avoid confusion.

As to claims 2,3,26,27,32,33,56,57,62,63, Howard does not, however, teach the device being registered in response to only one action by the user, that action being pressing a button. So called Plug-n-Play devices are very well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art to make the

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device a Plug-n-Play device, and inherently require only the single action of pressing the 'on' button, as these devices are readily available and this would automate installation and make it easier.

As to claim 44, Howard does not teach the message as identifying the user.

As to claims 4,15,35,45,64, Howard discloses obtaining an identifier of the device (fig 3), registering the device based on the identifier (col 4, lines 62-67).

As to claims 5,16,46,65, the request message includes the identifier of the device (fig 3), the identifier is obtained from the request message (col 4, lines 22-23).

As to claims 6,17,47,66, Howard discloses transmitting the assigned identifier to the device (the driver 26 and configuration settings component 27).

As to claims 7,18,37,48,67, Howard discloses determining if the device is registered and registering it only if it has not already been registered (515).

As to claims 8,19,38,49,58,68, the message is inherently a request that the device be registered (installed).

As to claims 10,21,51,69 the registry records the identifier (col 7, line 63- col 8, line 4).

As to claims 12,23,42,53,55, Howard discloses transmitting a registration confirmation message (105).

As to claims 13,24,30,43,54,60, the device is a printer (fig 7B).

As to claim 28, the message would inherently request initiation of registering the device (installing the device is registering it).

As to claim 36, the request message includes the identifier of the device (fig 3), the identifier is obtained from the request message (col 4, lines 22-23), the device would inherently record the identifier.

As to claim 70, Howard discloses creating an account associated with the identifier (fig 4A).

As to claim 41, the account would be that the device is installed and registered and would inherently be associated with the identifier as it is associated with the device identified by the identifier.

As to claim 72, the service is printing, this would inherently include a printer.

(10) Response to Argument

As arguments in relation to all independent claims are based on the same arguments as related to claim 1, they will all be treated as one.

As to arguments in relation to including information identifying the owner, as previously noted, fig 3 and col 4, lines 15-23, there is shown that the device is registered without requiring ownership information, merely information on the device. As to arguments in relation to obviousness, the technical ability to improve the base device in the same way and the result of the improvement is predictable as the prior art teaches checking to see if the device has been registered (using the input from the device which is the device identifier and not the owner identifier), and therefore, it would have been obvious to register for the warranty since its status is checked. Further, registering devices for warranties is old and well known in the art and therefore,

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applying the known technique to yield a known improvement was predictable. As to arguments in relation to how a “Plug-n-Play” device results in the registration, as previously discussed, the prior art teaches the method as working upon turning on the device (one action).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner’s answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Michael Fisher

/Michael J Fisher/

Examiner, Art Unit 3689

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